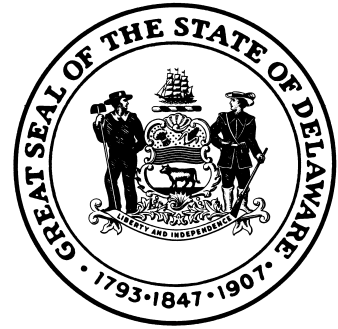




## **TITLE 21 -- MOTOR VEHICLES**

### **CHAPTER 70 -- FIRE LANES**



#### **§ 7001. Stopping, Standing or Parking in Fire Lanes; Penalty.**

- (a) No person shall stop, stand or park a vehicle in any place which has been designated and properly identified as a fire lane wherever a curb is marked yellow or a yellow line is placed at the edge of a roadway or shoulder and where official traffic control devices prohibit stopping, standing or parking or in an area designated for a fire hydrant, standpipe or sprinkler connection, except in compliance with the directions of a police officer or traffic control device.
- (b) Any person authorized to make arrests for violations of this chapter is hereby authorized to remove or cause to be removed, and stored at the owner's expense, any unattended vehicle left standing wholly or partially within a fire lane or any unattended vehicle left standing in a location so as to cause an obstruction to the accessibility to a fire lane, fire hydrant or standpipe connection.
- (c) The State Fire Marshal and the State Fire Marshal's deputies shall be authorized to enforce this chapter. Any fire officer in charge of firefighters of a fire company responding to, operating at or returning from a fire, service call or other emergency shall be authorized to enforce this chapter.
- (d) This chapter shall apply upon highways and elsewhere throughout the State.
- (e) A uniform parking summons may be attached to an unattended vehicle found in violation of this section by any person authorized to make arrests for violations of this section. It shall be permissible for an owner or operator to mail such summons and the appropriate fine directly to the court designated upon the summons instead of appearing before such court for trial of the charge, provided that such remittance of the summons and fine is mailed at least 2 days before the trial date designated upon the summons.
- (f) Whoever violates this section shall be fined not less than \$50.00 or more than \$100.00.
- (g) Court costs shall not be assessed if a fine is paid by mail pursuant to subsection (e) of this section, any statute or court rule of this State notwithstanding. The court shall mail a receipt indicating the payment of a fine mailed to the court if the person paying such fine makes a written request for a receipt and encloses a self-addressed envelope with proper postage affixed thereon.
- (h) Justice of the Peace Courts shall have jurisdiction of offenses under this section.

(62 Del. Laws, c. 135, § 1; 63 Del. laws, c. 214, § 2; 63 Del. Laws, c. 350, §§ 1, 2.; 68 Del. Laws, c. 9, § 64; 70 Del. Laws, c. 19, § 1; 70 Del. Laws, c. 186, § 1; 70 Del. Laws, c. 503, § 1.)

#### **§ 7002. Immunity for Enforcement; Exception.**

No law-enforcement officer, fire officer in charge or the fire officer's delegate or fire marshal or fire marshal's deputy, enforcing this chapter, and no one who removes a vehicle from a prohibited area as described in this chapter or stores such a vehicle, having been directed to remove or store such vehicle by a person authorized to enforce this chapter, shall be liable for criminal prosecution for any conduct directly relating to the enforcement of this chapter or be liable to any person for negligence, resulting in the injury to or loss or destruction of any real or personal property if such negligence arises out of the enforcement of this chapter; provided, however, that such person shall be liable for loss or destruction of any real or personal property caused by acts or omissions amounting to gross negligence or willful or wanton misconduct. (62 Del. Laws, c. 135, § 1; 70 Del. Laws, c. 186, § 1.)

**§ 7003. Owner Prima Facie Responsible.**

If any vehicle found by a person authorized to enforce this chapter to be in violation of this chapter is unattended at the time of the violation is discovered and the identity of the operator is not apparent, the person in whose name such vehicle is registered as owner shall be held prima facie responsible for such violation. (62 Del. Laws, c. 135, § 1.)